

34

Entered - 5-7-99 - sb  
CL 9910279 - DOBBS JORDAN  
00- R-0156

CLAIM OF: WILLIE JAMES RIVERS  
150th 10th Street  
Apartment 411  
Atlanta, Georgia 30309

For damages alleged to have been sustained as  
a result of a vehicular incident on December 24  
1998 at 999 Peachtree Street at 10th Street.

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of  
Atlanta that the action of the Department of  
Law be approved in authorizing payment to  
WILLIE JAMES RIVERS the sum of \$1,000.00 in  
full settlement and satisfaction of all claims,  
past, present and future, of every kind and  
character for damages alleged to have been  
sustained as a result of a vehicular incident on  
December 24, 1998 at 999 Peachtree Street at 10th  
Street as is more particularly set forth in the  
within claim; said sum taken from and charged  
to account 1A01/529017/T31001, Settlement of  
Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind A. Rubens*  
ROSALIND A. RUBENS  
DEPUTY CITY ATTORNEY

ADOPTED BY

FEB 21 2000

COUNCIL

FAVORABLE REPORT  
COM. *Public Safety*

DATE *2/15/2000*  
*William J. Langford*  
*William J. Langford*  
*William J. Langford*  
*William J. Langford*

CERTIFIED  
FEB 21 2000  
*John M. Starnes*  
COUNCIL PRESIDENT PROTEM

APPROVED

MAR - 1 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW

CERTIFIED  
FEB 21 2000  
*Rosalind A. Rubens*  
MUNICIPAL CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**00-R-0156**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Willie James Rivers** the sum of **\$1000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicular incident on December 24, 1998 at 999 Peachtree Street at 10<sup>th</sup> Street** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

February 21, 2000

March 01, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0279

Date: January 10, 2000

Claimant / Victim WILLIE JAMES RIVERS

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 150th 10th Street, Apartment 411, Atlanta, Georgia 30309

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 4,480.96 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 4-19-99 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 12-24-98 Place: 999 Peachtree Street at 10th Street

Department Water Bureau \_\_\_\_\_ Division \_\_\_\_\_

Employee involved \_\_\_\_\_ Dept. Action \_\_\_\_\_

NATURE OF CLAIM: The Claimant sustained property damage, in the above amount, when he drove his vehicle across an unsecured construction site in the roadway.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant X Others \_\_\_\_\_ Written X Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial X

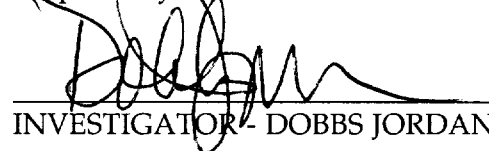
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DOBBS JORDAN

RECOMMENDATION:

Pay \$ 1,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 020301

Committee Action \_\_\_\_\_ Council Action \_\_\_\_\_

Jordan  
05/03/99  
OnCOUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERKCity Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

## RE: CLAIM FOR DAMAGES

Today's Date: 4/14/99

Dear Municipal Clerk:

ENTERED - 5-7- 99 - SB  
99L0279 - DOBBS JORDANThis is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 4490.96 property and/or \$ none bodily injury for which I contend the City is liable.

1. Date of incident: 12/24/98 2. Time of Incident: 9:45 p.m. 3. Police called: Yes ☒ No
- (month/day/year)
4. Location of incident (including street address): 999 Peachtree + Tenth St.
5. Name of your insurance company: SAFeway Insurance State of GA. Policy No. AG 943142
6. State what and how incident occurred: While driving down Peachtree Street there was big hole that was not visible and I was unaware, it until the car ran into it and incurred the damage that I am claiming
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
- Your vehicle: Lincoln Town Car 1984 403 PRA Willie James Rivers  
(Make) (Year) (Tag Number) (Driver's Name)
- City vehicle: NA  
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: Diane L. Johnson 150 10<sup>th</sup> St. Apt. 404 874-8802  
(Name) (Address) (Telephone Number)
10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE  
INFORMATION IS TRUE AND CORRECT.Willie James Rivers  
Signature of ClaimantWillie James Rivers  
(Print Claimant's Name)150<sup>th</sup> 10<sup>th</sup> Apt. 411  
(Address)Atlanta GA. 30309  
(City, State and Zip Code)NR 404 874 4397  
(Work Number) (Home Number)4/363 1095

GENERAL RELEASE AND INDEMNIFICATION

NO. 99L0279

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND DOLLARS AND 00/100  
           DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and  
forever discharge said City, its officers and employees from any and all claims, demands, actions, causes  
of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything  
that has heretofore occurred, and particularly for or on account of a vehicular incident, which  
occurred on or about the 24th day of December, 1998, at or near 999 Peachtree  
Street at 10th Street.

It is further understood and agreed that the payment of the above named sum is not to be  
considered as an admission on the part of the City, its officers, agents, servants or employees, of any  
liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless  
the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs  
which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as  
a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the  
payment of the sum stated above; that no other promise or agreement of any kind or nature has been  
made to or with me by said City or its agents to cause me to sign this release, and that I fully understand  
the meaning and intent of this instrument.

WITNESS my hand and seal this 2ND day of Feb, 2000.

Willie J. Rivers (LS)  
WILLIE JAMES RIVERS

The above release was read and explained to, and signed by the said Willie  
Rivers in our presence on the date above written.

H. Perkins  
Witness

00-P-0156

RCS# 1771  
2/21/00  
2:37 PM

Atlanta City Council

Regular Session

\*\*\*\*\*

CONSENT AGENDA PAGES (1 - 9)

ADOPT

YEAS:	15	SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA
NAYS:	0	
ABSTENTIONS:	0	
NOT VOTING:	1	
EXCUSED:	0	
ABSENT	0	

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEMS REMOVED FROM  
CONSENT AGENDA  
00-O-0122  
00-O-0123  
00-R-0202  
00-R-0020

00-O-0212 - Councilmember  
Boazman Abstained

\*\*\*\*\*

**ITEMS ADOPTED ON  
CONSENT AGENDA**

1. 99-O-2072
2. 99-O-2073
3. 00-O-0127
4. 00-O-0124
5. 00-O-0126
6. 00-O-0066
7. 00-O-0125
8. 00-O-0211
9. 00-O-0212 \*
10. 00-O-0213
11. 00-O-0207
12. 00-R-0220
13. 00-R-0196
14. 00-R-0209
15. 00-R-0180
16. 00-R-0176
17. 00-R-0174
18. 00-R-0145
19. 00-R-0146
20. 00-R-0147
21. 00-R-0148
22. 00-R-0149
23. 00-R-0150
24. 00-R-0151
25. 00-R-0152
26. 00-R-0153
27. 00-R-0154
28. 00-R-0155
29. 00-R-0156
30. 00-R-0157
31. 00-R-0158
32. 00-R-0159
33. 00-R-0160

**02/21/00 Council Meeting  
ITEMS ADVERSED ON  
CONSENT AGENDA**

34. 00-R-0161
35. 00-R-0162
36. 00-R-0163
37. 00-R-0164
38. 00-R-0165
39. 00-R-0166
40. 00-R-0167
41. 00-R-0168
42. 00-R-0169
43. 00-R-0170
44. 00-R-0171
45. 00-R-0172
46. 00-R-0173
47. 00-R-0175

\* Councilmember Boazman  
abstained from voting on item 00-  
O-0212.